



CITY OF GODLEY
MEETING MINUTES
REGULAR CITY COUNCIL MEETING
DATE: TUESDAY, JANUARY 18, 2022
TIME: 5:00 PM
GODLEY CITY HALL BUILDING
200 WEST RAILROAD STREET, GODLEY, TEXAS

Zoom Information: The city council meeting will be held in-person at city hall, with the availability for participants to attend by Zoom as well. It is required, if attending by Zoom and participating (speaking, doing a presentation, etc.), that your Zoom video and audio be on. To join/attend by Zoom, please use this link: <https://us06web.zoom.us/j/86277061631> with meeting ID **862 7706 1631**.

REGULAR CITY COUNCIL MEETING:

Mayor McGehee called the meeting to order at 5:01PM CST. Councilmembers Jan Whitehead, Roger Cornelison, and Michael Papenfuss were present in city council chambers along with Mayor Acy McGehee. Councilmember Mary Anne Matthews was present by Zoom videoconference. City Administrator David J. Wallis, City Engineer Glenn Breisch, Police Chief Jason Jordan, and City Attorney Cass Robert Callaway were also present.

1. PRESENTATIONS

Citizen Appearances/Comment Period

Citizens have the opportunity to address the Godley city council regarding any item on the agenda, or any other issue of concern, during the public comment period. Those wishing to do so, should sign up on the public comments sheet and staff will make sure the presiding member of the city council knows of your wish to speak. In compliance with the TEXAS OPEN MEETINGS ACT, city staff and city council members are prevented from discussion of the subject matter of items not on this meeting's agenda and may only respond with statements of factual information, existing city policy, or to request an item to be added to a

city council agenda in the future. Public comments will not be taken on items that the city council has previously considered in a public hearing. In compliance with HB 2840, public comments will not be allowed/entertained during the city council's discussion of each agenda item.¹ To sign up to speak during citizen appearances/presentation, please notify the City Secretary prior to the beginning of the meeting to sign-up. Speakers will be limited to five (5) minutes.

Public Comment #1: Daryla Davis Collodi (6327 Rigel Road, Godley, Texas 76044) spoke about the wastewater treatment plant expansion project. She described the steps for approval and how the process is handled by the City Engineer Glenn Breisch. She questioned how the City Engineer is selected to handle such projects. She asked for information on the point system for competitive bidding.

Public Comment #2: Eliza Cadavona Duncan (6513 Leo Lane, Godley, Texas 76044) spoke about the vacancy on the city council. She said she appreciated that the agenda packet information regarding the resignation was on the city's website, however she wished to get a copy of the councilman's resignation letter/notice. She said she had also checked on the bulletin board outside – pointing to the front of the city hall building, and that she had not seen the resignation letter/notice posted there either. She urged quality candidates need to be considered to fill the vacancy. Duncan then read state statute that resignations of public officers be approved by the city council. She urged city council to table the nomination and filling of the vacancy. She also urged city council to involve the public in the process for filling the vacancy. She requested the eligibility requirements for the office be posted on the city's website. Duncan continued that she believes there is no budget to hire police officers. She argued that there is a growing population, and that the city should hire police officers instead of a city secretary.

Public Comment #3: Jeff Siegel spoke about the Carrell Farms project. He said he had not been given a copy of the preliminary plat up for consideration at the meeting. He said he did not know what he was talking about and what he was looking at.

PROCLAMATIONS

None

2. CONSENT AGENDA

All items listed below are considered routine by the city council and will be enacted with one motion. There will be no separate discussion of the items

¹ "A governmental body may satisfy subsection 551.007(b)'s requirement by holding a single public comment period at the beginning of an open meeting to address all items on the agenda." Texas Attorney General Opinion KP-0300, April 22, 2020.

unless a councilmember so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. Approval of the consent agenda authorizes city personnel to implement each item in accordance with staff recommendations.

General

- A. Approval of city council meeting minutes from the **Tuesday, December 7, 2021**, meeting.

Council removed the Tuesday, December 7, 2021 minutes from the consent agenda, as a draft was not ready at the time. City Secretary Stephanie Hodges was out sick. Consideration and approval of the minutes to be included on next regularly scheduled city council meeting.

Department Reports

- A. Police Department – Jason Jordan (Police Chief)

Chief Jason Jordan read his monthly report to city council. He provided the number of traffic stops and other activity of the department. He provided historical report numbers for comparisons. Councilmember Roger Cornelison requested a copy of the report. Chief Jason Jordan said he would get a copy for the councilman.

- B. Fire Department – Jimmy Woolard (Fire Chief)

Fire Chief Jimmy Woolard read his monthly report to city council. Woolard reported on the training fire volunteers were receiving. Councilman Michael Papenfuss asked about the delivery of the new fire truck. Woolard said the new engine was not in service yet, but that it would be in the next several weeks.

- C. Public Works/Water/Wastewater – Lane Westbrooks (PW Director)

Public Works Director Lane Westbrooks was not present due to working on a city public works project. Councilman Roger Cornelison inquired to City Administrator David J. Wallis about the tarps on fencing. Wallis responded that the city is hoping to take down the tarps and to replace it with fencing slats. Wallis said he would get with public works employee Cook to get that accomplished late winter. City Councilman Michael Papenfuss inquired about a “male member” at the city park. City Administrator David J. Wallis asked for clarification. Papenfuss described a slide at the park has a “male member” drawn on it, and recommended it be removed. Papenfuss said he tried to rub off the “male member,” but was unsuccessful.

- D. Municipal Court – Stephanie Hodges (Court Administrator)

No report was given for Municipal Court as City Secretary/Court Administrator Stephanie Hodges out sick.

D. Engineering – Glenn Breisch (City Engineer)

City Engineer Glenn Breisch presented his monthly report to city council. Breisch informed council that there are 18 active projects his office is working. Breisch also discussed an easement encroachment issue. A member of the audience interrupted Breisch and asked for a naming of all 18 projects. Breisch then went through all 18 projects and gave an update on each. Councilman Michael Papenfuss asked about storage building projects. Councilman Roger Cornelison asked Breisch if he could get a copy of Glenn's report. Breisch said he would get him a copy.

F. Code Compliance

No report was given.

G. Economic Development

No report was given.

H. City Administration – David J. Wallis (City Administrator)

City Administrator David J. Wallis presented his monthly report to city council. He updated on the council on the critical load designation project with ONCOR. The designation will prevent shut off of the water system infrastructure electricity during an emergency. Wallis updated council on the CBDBG grant. He said it is a two-year grant cycle. Wallis said the city was awarded the grant but awaiting funding of the program. Wallis informed council that a web master had been hired/retained to revamp the city's web site. He also said he is seeking software help to post agendas and packets online in an easy way. Councilman Michael Papenfuss inquired about the critical load designation. He asked what it covers. Wallis said it covers everything. City hall, fire station, water well facilities, wastewater treatment plant, etc.. Papenfuss then asked about the CBDG grant – what it is for. Wallis said the grant for water infrastructure improvements. Wallis explained to Papenfuss that TXDOT has a new person in charge for the area and she used to be the head of the beautification project. Wallis explained that she was very committed to helping the city with projects.

City councilmember Jan Whitehead made a motion to approve the consent agenda/department reports. City councilmember Roger Cornelison seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

3. PUBLIC HEARINGS

None

4. DISCUSSION AND ACTION ITEMS

- A. Discussion and possible action taking nominations and **appointing a council member** to the Godley city council to fill vacancy left by council member Ryan Bailey's resignation. (TEXAS LOCAL GOVERNMENT CODE Section 22.010).

*City councilmember Roger Cornelison asked about how an election could be had on the matter. City Attorney Cass Robert Callaway briefed the city council on the relevant law, providing options for going forward. Callaway also briefed the city council on the laws regarding resignations of city council members to correct misinformation provided by a public commenter explaining that the city council has no legal ability to deny or refuse to accept a city council member's resignation. Callaway recommended to city council to leave the position vacant, and not to appoint at this time, and to call for an election in May to fill the vacancy, or to appoint at a later time, if consensus on a candidate can be achieved. City councilmember Michael Papenfuss asked when Ryan Bailey's resignation was filed with the city. City Administrator David J. Wallis responded "before Christmas" and that he was unsure of the exact date. Callaway told Papenfuss the resignation date exceeded eight days, so the resignation was effective by law without council consideration. Callaway also advised city council that a city council member who misses three consecutive meetings, creates a vacancy as well, by operation of law. **City councilmember Roger Cornelison made a motion to call a special election in May to fill the vacancy.** No immediate second was received. City Councilmember Papenfuss asked how much a special election will cost. Callaway said that it was his hope the Johnson County elections office would not charge us extra. City Administrator David J. Wallis said he recommended the city council not take action on the agenda item and to wait until the next month's meeting in February or March. Callaway cautioned against leaving the position vacant for too long and a second vacancy occurring – forcing a special election at a non-election time – an expensive proposition for the city. Mayor Acy McGehee asked Callaway if a motion was even needed to call an election, since the city already had an election scheduled for May 2022 anyway. Callaway explained the election already scheduled for May is a general city election. The filling of a vacancy would be a special city election and would require a motion/city council action. **City Councilman Michael Papenfuss seconded Cornelison's motion.***

City councilmember Roger Cornelison made a motion to set a special city election to fill the city council vacancy. City councilmember Michael Papenfuss seconded the

motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

City council member Michael Papenfuss inquired of Police Chief Jason Jordan if the threats made against former city council member Ryan Bailey would be prosecuted. Chief Jordan said no complaint had been made. Mayor McGehee then inquired whether former city council member Ryan Bailey still lived in the city. Chief Jordan said he did not. City Attorney Callaway then informed city council that not living in the city also created a vacancy in the council – a trifecta.

- B. Mayor or presiding member provide **oath of office** (Form 2204) to new city council member as required by TEXAS LOCAL GOVERNMENT CODE Section 22.005 and signature of **anti-bribery statement** (Form 2201).

No action taken.

- C. Discussion and possible action authorizing city administrator David J. Wallis to initiate the process to hire a **city secretary**, a full-time employee of the city, providing direction on compensation, timetable for filling the position, and the process for selection. (Currently one employee serves as city secretary AND court administrator, the intent is to separate the positions and get more hands on deck to manage the workload.) (City Administrator David J. Wallis).

City Administrator David J. Wallis explained to council that current employee Stephanie Hodges does three jobs. He explained she is carrying too much workload to keep up. He recommended separating the positions to allow better service at the front customer service window and for special projects in the court. Wallis said over time the new person would serve redundantly with other positions. Wallis said he surveyed cities our size and their salaries. He promoted \$24-\$26 dollar per hour range. He said he also recommended somebody fluent in INCODE software. He recommended hiring somebody that would have previous experience and would not have to be trained from ground up. Wallis pointed council's attention to the job description in the council packets. Councilman Papenfuss asked how the job will be advertised. Wallis said they would post the position with TML first. Papenfuss asked if it would be advertised on the city's website. Wallis said that could be done. Papenfuss then asked who makes the decision. Wallis explained that he, Stephanie, and Callaway would sit in and do interviews. City Attorney Callaway explained that once a candidate was picked, the appointment would come to council for ratification. Callaway also recommended advertising the job on city clerk/secretary association list serve. Papenfuss asked how much money the position will cost the city. Wallis said a guess would be \$63,000.00.

Wallis said the funds for this fiscal year budget would come out of surplus funds. Papenfuss then asked what would happen to Stephanie's salary. Wallis said her pay would stay the same. Wallis said Stephanie would be replacing current responsibilities with new responsibilities. Papenfuss asked if the city's expansion of homes and development cover the expense of the new position. Wallis explained that the city's sales tax is higher than expected.

City councilmember Michael Papenfuss made a motion to hire a city secretary. City councilmember Jan Whitehead seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

- D. Discussion and possible action on request of council member Michael Papenfuss to initiate the creation of a **planning and zoning commission** for the City of Godley, developing membership eligibility and selection criteria, rules, and scheduling, authorizing city staff to initiate the formation. (Councilmember Michael Papenfuss).

Councilman Papenfuss presented to council that the city should form a commission. He promoted for 7 commission members with 4 being city citizens and 3 members from the ETJ. Papenfuss asked for a workshop to be set up to start the process. City Attorney Cass Callaway said the staff recommendation is to support the creation of a planning and zoning commission. Callaway promoted the next city council meeting for the workshop.

City council member Roger Cornelison made a motion to initiate the process to create a planning and zoning commission for the city. Council member Michael Papenfuss seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

Discussion was had on scheduling the workshop. Consensus was to do the workshop before a city council meeting for two hours. Council chose the Tuesday, February 1, 2022. Councilman Papenfuss asked if the workshop would be an open meeting. City Attorney Cass Callaway confirmed it would be.

- E. Discussion and possible action on request of council member Roger Cornelison to have "all official information concerning the City of Godley and all ordinances be placed on the City of Godley's web site. Also, to immediately remove all official information and ordinances from all **third-party web sites**. Such information may be placed on a third-party website with the approval of the City Council and if the information is already on the City of Godley's website." (Councilmember Roger Cornelison).

Council member Roger Cornelison promoted putting development standards and plats, etc. on the city's web site. He clarified that if the information is redundant/duplicative, that would be okay, as long as it is on the city's web site. Council member Papenfuss asked about freedom of speech concerns.

City council member Michael Papenfuss made a motion to include on the city's web site development project information/plats/ordinances/design standards, etc.. Council member Roger Cornelison seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

- F. Discussion and possible action on request of council member Roger Cornelison to “add steps to the **procedures to submit a preliminary plat**. Before the preliminary plat is submitted: residences within a ½ mile of the development must be notified by mail. Place the plat information on the City of Godley website for two weeks. Notify the city council at least one meeting before the plat before the plat is submitted and supply information.” (Councilmember Roger Cornelison).

Council member Roger Cornelison presented his request to have property owners notified. He said he wanted information to get to residents before the 30-day clock starts. Cornelison promoted that the developer be responsible for the mail out and the expense for the mail out. Cornelison said it would help inform the people. Council member Papenfuss asked about how establishing the planning and zoning commission would affect it. City Attorney Callaway agreed the burden of expense and time should not be on the city. Callaway explained a recent mailing took a very long time to obtain addresses. Callaway advocated email addresses, text messages, besides mail. Callaway also advocated ¼ mile instead of ½ mile. Discussion was had as to tabling the issue until the planning and zoning commission workshop. Cornelison talked about the timing of the letters going out and what information should be included in the notification.

No action taken.

- G. Presentation and update by city engineer Glenn Breisch of the project specifications and construction plans for the expansion of the city's **wastewater treatment plant**, permitting, construction, timetable, etc. (City Engineer Glenn Breisch, City Administrator David J. Wallis).

City Engineer Glenn Breisch updated council on the expansion of the city's existing wastewater treatment facility. Breisch provided the permit process is well on its way. Breisch provided a timeline for the bid project. He described the project is a 2.5-million-dollar project. Breisch explained the project will provide wastewater treatment services for 650-700 homes. City council member Papenfuss asked if the 650-700 homes are

already constructed? Breisch informed council the city's current plant has room for 120 new homes and by the time the expansion project is completed, those 650-700 homes will likely be built. Breisch confirmed we are building "a band-aid" and that the city needs to remain aggressive in the builds of two new facilities besides the expansion project. Breisch said the current wastewater treatment plant site is space limited and that the new locations will be needed. Council member Papenfuss said capacity issues concerned him, even if we build the expansion. Breisch explained there is no capacity emergency, but that the expansion is needed to keep up pace with demand. Breisch explained that his design for the expansion is for equipment and tanks that are portable and can be moved from the site to a new site – using the same equipment. City council member Papenfuss asked how the plant could be moved to another location. City Administrator Wallis explained that the stopgap expansion project is being done because of the permit agreement timeline being too great to build a new plant from scratch. Wallis explained the goal is to have one huge plant and to close the treatment plant in the city. Councilman Papenfuss expressed concern that the city is making a small fix when a big fix could be accomplished. Breisch explained the permitting process would take 18 months minimum, and we have a much better chance of meeting demand right now as our expansion project is well down the road of the permitting process. Breisch then explained "sludge thickening" process needs. Breisch notified the council that public works director Lane Westbrooks notified him that the sludge buildup is at 75% again after just cleaning it out recently.

No action taken.

- H. Discussion and possible action authorizing city administrator David J. Wallis to advertise for bids for the **wastewater treatment plant** expansion project per project specifications approved by city engineer Glenn Breisch. (City Engineer Glenn Breisch, City Administrator David J. Wallis).

City council member Jan Whitehead made a motion to authorize city staff to advertise the wastewater treatment plant expansion project for bids. City council member Papenfuss asked how the project would be advertised. City Engineer Breisch reported that the project would be advertised in the Cleburne Times-Review, the city's official newspaper. Breisch said the project would also be posted on CIVCAST (<https://www.civcastusa.com>). Breisch said the city has used that service for a number of years. Breisch said on a recent project he got 15 bidders. Papenfuss then asked if local companies can be a part of the project. Breisch said of course.

City council member Jan Whitehead made a motion to authorize city staff to advertise the wastewater treatment plant expansion project for bids. Council member Mary Anne Matthews seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

- I. Discussion and possible action to accept/approve the preliminary plat of a 14.45-acre **residential subdivision development** located on West Link Drive, within city limits to be known as the **Higher Links Addition**. (City Engineer Glenn Breisch, City Administrator David J. Wallis).

City Engineer Glenn Breisch presented to council the preliminary plat for the project. Breisch said the project would be receiving city water and city wastewater treatment services. Breisch also informed council the 49 lot sizes meet the ordinance for 7500 minimum. Breisch said city staff recommendation is to accept the preliminary plat. Breisch explained on the northside of the project will have a sidewalk to the elementary school. Then the developer spoke on the project and made himself available for questions. Mayor McGehee asked where the project was located on Links Drive. City council member Roger Cornelison asked about the traffic on Links Drive. Discussion was had about through trucks on that road and the police patrol of the area. Council member Papenfuss asked about increased crime due to having a sidewalk from the subdivision to the school. Breisch explained crime is not preventable everywhere. Council member Cornelison asked about the retention pond. Breisch and the developer said the water will go the same way it is currently going and will follow drainage guidelines. Councilman Papenfuss then asked about the water impact. Breisch explained the 49 homes added to the water system would not cause an undue strain. Cornelison asked who would be mowing the retention pond. Breisch said the homeowners' association would be responsible for mowing. Councilman Papenfuss then asked about doing a traffic study for the project. Breisch explained that the project is too small to trigger a requirement for a traffic study. Council member Cornelison then asked for the item to be tabled. Breisch explained the 30 days had already come and gone. Mayor McGehee said that the property owners that border the project are people who already have notice of the project. Cornelison particularly wanted the homes that face the property on Links to be notified. The developer came back up and notified council that the project was already approved by council and platted as a subdivision. He argued that should be great notice to the adjacent landowners that the property would be developed as a subdivision. He said it was "common knowledge." He also provided that the property is zoned R1 already. City council member Papenfuss asked if the city's ordinances had a threshold for when a traffic study is required. Wallis reported there was not.

City council member Jan Whitehead made a motion to accept the preliminary plat for the Higher Links Addition project. Council member Mary Anne Matthews seconded the motion. Mayor McGehee called the matter to a vote. Council voted. Council member Michael Papenfuss abstained. (3) Aye Votes (0) Nay Votes (1) Abstaining. Passed.

- J. Discussion and possible action to accept the replat of **Wildcat Ridge** (City Engineer Glenn Breisch, City Administrator David J. Wallis).

City Engineer Breisch provided printed plat materials to council. Breisch explained the new plat contemplates area for open space – not development. City council member Papenfuss asked where this area is located. Breisch explained in Wildcat Ridge Phase II.

City council member Michael Papenfuss made a motion to accept the replat of Wildcat Ridge. Council member Jan Whitehead seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

K. Discussion and possible action to accept the replat of **Rodgers Addition** (City Engineer Glenn Breisch, City Administrator David J. Wallis).

City Engineer Breisch provided printed plat materials to council. Breisch explained that the developer wished to turn 7 acres into two plats. Breisch said the area is in the ETJ. Breisch also explained that the city staff recommendation is to approve.

City council member Jan Whitehead made a motion to accept the replat of Rodgers Addition. Council member Mary Anne Matthews seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

L. Discussion and possible action to accept the final plat of Lot 1, Block 1, Nolan Creek Addition, a property located on 171 North, north of the high school, in the city's extraterritorial jurisdiction, a site that developers plan to build a **storage unit facility**, as presented by owners Latitude 32 Investments/LG Development, LLC. (City Engineer Glenn Breisch, City Administrator David J. Wallis, and Ken Rogers of Herbert Beasley Land Surveyors).

City Engineer Glenn Breisch presented plats for the council to review. Breisch said the area is graveled. Breisch believes the property was used for truck parking in the past. Breisch said the developer wants to make the property a storage unit facility. Breisch said the property is in the city's ETJ. Breisch said he has reviewed preliminary layout and that he sent it back to have the layout contemplate fire lanes and fire truck ingress and egress. Council member Roger Cornelison asked about nearby property owners being affected by light pollution. Breisch said there were no nearby homes, but that lighting could be addressed with the developer as the project moves forward.

City council member Jan Whitehead made a motion to accept the plat of Lot 1, Block 1, Nolan Creek Addition. Council member Michael Papenfuss seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

- M. Presentation by Carissa Cox, AICP of MOSAIC Planning and Development Services regarding the development of a comprehensive plan to guide development, providing a proposal for the project, and answering any questions of city council. (Carissa Cox of MOSAIC and City Administrator David J. Wallis).

City Administrator David J. Wallis introduced Carissa Cox to the city council. Cox presented a PowerPoint presentation to the city council. She discussed growth and the platting procedure. She explained the "shot clock" 30-day rule and the importance of taking action quickly on plats. Cox gave a broad view of what power cities have in the plat review process, and what power cities don't have. She said cities have been put in a very difficult position by the legislature in terms of what you can regulate. She explained that cities can not regulate lot sizes in the extraterritorial jurisdiction (ETJ). She said there is so much growth in the Godley ETJ. Cox said the city's biggest challenge right now is the development in the ETJ. Cox discussed home rule versus general law status and the need for 5,000 people to trigger home rule eligibility. Cox explained the importance of having a comprehensive plan. Cox explained state law is flexible on creating a comprehensive plan. Cox said the City of Godley subdivision ordinance "needs some love". Cox then opened up for questions. City council member Papenfuss asked where Cox was six months ago. Cox said it is never too late to do these projects. City council member Cornelison asked which cities have good comprehensive plans. Cox said Cleburne and Westlake have good ones. She also said she would send some examples to City Administrator Wallis. Wallis explained to council to authorize the city to engage Cox's firm for planning services. Wallis said setting up the planning and zoning commission would be a first priority. Wallis said Cox could assist in drafting an ordinance and in training the newly formed commission on what they can do / basic operations. Wallis requested authorization to engage the firm, and to build a list of priorities / deliverables. Wallis said by June 2022 have a plan for a comprehensive plan. Cox explained the comprehensive plan project is big enough in size that competitive bidding would need to be utilized.

City council member Jan Whitehead made a motion to authorize city staff to engage the services of MOSAIC / Carissa Cox for city planning projects (establishing planning and zoning commission, plat filing process and rules/revamping subdivision ordinance). Council member Roger Cornelison seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

- N. Discussion and possible action on engaging professional services to conduct a full-scale development growth study for the City of Godley to determine present and future needs for infrastructure (roads, wastewater, police, fire, water, etc.), setting a timetable for completion and providing city staff

guidance on budget, firm/provider selection, etc. (City Administrator David J. Wallis).

Tabled. No action taken.

- O. Discussion and possible action to terminate/end **development agreement** with MAAK Enterprises, L.P.'s Carrell Farms development, ceding authority to regulate the development to Johnson County. (City Attorney Cass Callaway and City Administrator David J. Wallis).

Tabled. No action taken.

- P. Discussion and possible action to approve the **"First Amendment to Development Agreement"** regarding MAAK Enterprises, L.P.'s Carrell Farms development. (City Engineer Glenn Breisch, City Administrator David J. Wallis, and Developers Kirk Carrell and Rich Alberque).

Tabled. No action taken.

- Q. Discussion and possible action on whether to certify the **preliminary plat** for the **Carrell Farms development** in light of demand letter and lawsuit threat of the developer. (City Administrator David J. Wallis, City Engineer Glenn Breisch, and Developers Kirk Carrell and Rich Alberque).

City Attorney Cass Callaway briefed the city council that the 30-day rule applied to the preliminary plat for Carrell Farms. Callaway also clarified that the preliminary plat had not been changed and no new plat had been filed with the city. Callaway also explained that attorney Art Anderson was now representing Carrell Farms and that he and Anderson had communicated earlier in the week. City council member Roger Cornelison asked Callaway if the berm had become a part of the new plat. Callaway reiterated that the plat being approved by this agenda item was the plat filed by Carrell Farms originally and no changes had been made. City Administrator Wallis explained again to city council that the objections to the preliminary plat – originally – were to the lot sizes. Wallis said the city did not then and does not now have the ability to challenge the lot sizes of the project. City council member Papenfuss asked about a pipeline on the property and whether it is an active pipeline. Papenfuss said there is a crude oil pipeline on the property. Papenfuss asked City Engineer Breisch if they could build houses on the pipeline. Breisch said they could not.

City council member Jan Whitehead made a motion to certify and direct the signing of the preliminary plat for the Carrell Farms project. Council member Michael Papenfuss seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

- R. Discussion and possible action to terminate/end interlocal agreement with Johnson County to provide **development approval of plats in the extra-territorial jurisdiction of the city**, removing authority to regulate subdivision developments in the city's ETJ and providing a timeline for termination. (City Attorney Cass Callaway and City Administrator David J. Wallis).

Tabled. No action taken.

- S. Presentation of approved final construction plans for **Coyote Crossing Phase II** by City Engineer Glenn Breisch.

City Engineer Glenn Breisch reported that final construction plans were submitted to him in November and he has reviewed. Breisch said it was staff recommendation to approve the plans.

City council member Michael Papenfuss made a motion to approve the final construction plans of Coyote Crossing Phase II. Council member Jan Whitehead seconded the motion. Mayor McGehee called the matter to a vote. (4) Aye Votes (0) Nay Votes. Unanimously passed.

5. COMMUNITY INTEREST ITEMS

This is a standing item on the agenda of every regular meeting of the city council. The TEXAS OPEN MEETINGS ACT effective September 1, 2009 provides that a quorum of the city council may receive from municipal staff, and a member of the governing body may make, a report regarding items of community interest during a council meeting without having given notice of the subject of the report, provided no action is taken or discussed. An item of community interest includes the following: expression of thanks, congratulations, or condolence; information regarding holiday schedules; honorary recognitions of city officials, employees, or other citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by a city official or city employee; and announcements involving imminent public health and safety threats to the city.

Discussion was had as to scheduling the Tuesday, February 1, 2022 city council workshop and city council meeting. Discussion was to set aside two hours for the workshop.

6. EXECUTIVE SESSION

Pursuant to the TEXAS OPEN MEETINGS ACT, Chapter 551, TEXAS GOVERNMENT CODE, **Sec. 551.071** (consultation with attorney on pending or contemplated litigation, settlement offers, or a matter in which the duty of the attorney to the governmental body under the Texas Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551), **Sec. 551.072** (discussions about the value or transfer of real property), **Sec. 551.073** (discussions about a prospective gift or donation to a governmental body), **Sec. 551.074** (discussion on the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee), **Sec. 551.076** (discussions about security personnel, security devices, or a security audit), **Sec. 551.087** (discussions of certain economic development matters), and **Sec. 418.0183(f)** (discussion of emergencies and disasters) of the TEXAS GOVERNMENT CODE (Texas Disaster Act), executive session may be held, under these exceptions, at any time during the meeting that a need arises for the city council to discuss a posted subject matter of this city council meeting.

Reconvene into open session for possible action resulting from any items posted and legally discussed in executive session.

No executive session was needed.

7. ADJOURNMENT

Mayor Acy McGehee adjourned the meeting at 7:56PM CST.

CITY OF GODLEY

COUNCIL MEETING
Tuesday, January 18, 2022

	NAME	ADDRESS	ITEM NUMBER YOU WISH TO SPEAK ABOUT
	XXXXXXXXXX	XXXXXXXXXXXXXXXXXX	
	Julie Fastman	6352 Rigel Rd	
	Dawn Washington	6364 Rigel Rd	
4)	John Snow	450 N FLORENCE	CARDON
	TERRY FORD	6424 STARLIGHT RD	
	Gabe Cooper	2331 Godley	n/a
	DAVID OLDHAM	1068 FAIRFAX	
1)	Danaya Colodini	4327 Rigel	GH
3)	Eliza Duncan	6513 Leo Ln	A, B, C
3)	Danley Lou	101 Creek View	6/4
	Don Colodini	1639 Ash	
	Tim Price	6316 Leo Ln	
	Ruth Price	6316 Leo Ln	